

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: A. KATHLEEN TOMLINSON
U.S. MAGISTRATE JUDGE

DATE: 2/13/09
TIME: 1:30 PM

Wade v. Cohen & Slomowitz, LLP, CV 07-2838 (DRH) (AKT)

TYPE OF CONFERENCE: **SETTLEMENT CONFERENCE**

APPEARANCES: Plaintiff Joseph Mauro
Defendant Michael McAuliffe

THE FOLLOWING RULINGS WERE MADE:

Based on the parties' joint request, a settlement conference was scheduled for today and both sides provided me with an *ex parte* statement of their respective settlement positions. I met for a substantial period of time with the attorneys as well as the Defendant's carrier. Although I believe some progress was made, it is clear that this case is not amenable to settlement as of today. I have encouraged the parties to continue these discussions and am happy to meet with them again if they agree this is desirable in order to reach a final resolution of this action.

The deadlines for filing the Pre-Trial Order and attendance at the Pre-Trial Conference as set forth in my Order of January 7, 2009 [DE 37] remain in effect.

SO ORDERED

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge